

**HYLAND LEVIN LLP**

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*Attorneys for Medford Village East Associates, LLC*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

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MEDFORD COMMONS, LLC,

Plaintiff,

-against-

LEXON INSURANCE COMPANY and  
BOND SAFEGUARD INSURANCE  
COMPANY, jointly and severally,

Defendants,

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TOWNSHIP OF MEDFORD,

Intervenor-Plaintiff,

-against-

LEXON INSURANCE COMPANY and  
BOND SAFEGUARD INSURANCE  
COMPANY, jointly and severally,

Defendants,

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LEXON INSURANCE COMPANY and  
BOND SAFEGUARD INSURANCE  
COMPANY,

Third-Party Plaintiff,

-against-

FREEDMAN COHEN DEVELOPMENT, LLC,  
MEDFORD VILLAGE EAST  
ASSOCIATES, LLC, CARL FREEDMAN,  
Individually AND MITCHELL COHEN,

Civil Action No. 1:11-CV-188-NLH-KMW

Removed from the Superior  
Court of New Jersey,  
Docket No. BUR-L-222-08,  
by Notice filed on January 11, 2011

**EMERGENT NOTICE OF MOTION  
FOR EXPEDITED CONSIDERATION  
OF MOTION TO REMAND AND  
MOTION FOR PRELIMINARY  
INJUNCTIVE RELIEF**

Individually,	:
	:
Third-Party Defendants,	:
	:
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MEDFORD VILLAGE EAST ASSOCIATES,	:
LLC,	:
	:
Fourth-Party Plaintiffs,	:
	:
-against-	:
	:
MEDFORD COMMONS, LLC, TOWNSHIP	:
OF MEDFORD, FREEDMAN COHEN	:
DEVELOPMENT, LLC, CARL FREEDMAN,	:
Individually, MITCHELL COHEN, Individually,	:
PENNONI ASSOCIATES, and JOHN DOES 1	:
THROUGH 5,	:
	:
Fourth-Party Defendants.	:
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To: **All Counsel on the Attached Service List**

**PLEASE TAKE NOTICE** that as soon as counsel may be heard on an emergent basis, the undersigned counsel for Fourth Party Plaintiff, Medford Village East Associates, LLC ("MVE") will move before the Court for an Order granting expedited consideration of MVE's Motion to Remand this matter and, in the alternative, for expedited consideration of MVE's pending Application for Preliminary Injunctive Relief.

In support of this Application, MVE shall rely upon the Declaration of Peter J. Boyer, and the Exhibits referenced therein, as well as the Brief and supporting papers separately filed this date with respect to MVE's Motion for Remand and other Relief.

**PLEASE TAKE FURTHER NOTICE** that MVE hereby requests ORAL  
ARGUMENT.

A Proposed form of Order is submitted herewith.

Respectfully submitted,

**HYLAND LEVIN LLP**

January 14, 2011

/s/ Peter J. Boyer  
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